



12-18-03

2613

Certificate of Mailing By "U.S. Express Mail" Under 37 C.F.R. 1.10(c)
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I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner For Patents, Alexandria, VA 22313-1450.
Name: Mary Chow
12/16/03
Signature Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of:** Fernandez, et al

Serial No.: 09/823,506

Filed: 3/28/2001

For: Integrated Network for Monitoring Remote Objects

Attorney Docket No. FERN-P001D

Examiner: Vo, Tung T

Art Unit: 2613

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DEC 22 2003

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Technology Center 2600

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

- a. An Amendment for this application: 12 pages.
 b. A copy of the Notice of Non-compliance dated 12/8/2003.
 c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.
 d. An Information Disclosure Statement under 37 CFR 1.97(b) 1.97(c)
 e. A stamped, self-addressed, return postcard.
 f. A Check (#) for \$ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

- a. Applicant is a Large Entity.
 b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

- a. Applicant petitions for an extension of time under 37 C.F. R. 1.136 for the total number of months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d)).

<u>Extension of Time</u>	<u>Large Entity Fee</u>	<u>Small Entity Fee</u>
i. One (1) month .	\$ 110.00	\$ 55.00
ii. Two (2) month .	\$ 420.00	\$ 210.00
iii. Three (3) month .	\$ 950.00	\$ 475.00
iv. Four (4) month .	\$ 1,480.00	\$ 740.00
v. Five (5) month .	\$ 2,010.00	\$ 1005.00

Extension Time Fee Total: .00.

- b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to Deposit Account No: 500482.

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FEES CALCULATION:

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid	Present Extra Claims	Fee Rate	Total
a. Total Claims	18	- 20 =	0	x \$ 18.00 Large Entity x \$ 9.00 Small Entity	\$
b. Independent Claims	3	- 3 =	0	x \$ 86.00 Large Entity x \$ 43.00 Small Entity	\$
c. Multiple Dependent Claims Added By This Amendment				x 290.00 Large Entity x 145.00 Small Entity	
d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a.					\$.00
e. Additional Fees Required With This Correspondence i) 1.17 (p) Fee for Information Disclosure under 1.97(c)					\$.00
e. Total Fees					\$.00

5. PAYMENT OF FEES

The full fee due in connection with this communication is provided as follows:

The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.

A Check # _____ for \$ _____ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Please direct all correspondence concerning the above-identified application to the following address:

CUSTOMER NO: 22877

FERNANDEZ & ASSOCIATES, LLP
Patent Attorneys
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Menlo Park, CA 94026-6204
Phone: (650) 325-4999
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Respectfully submitted,

DENNIS S. FERNANDEZ
Registration No. 34,160

12/16/03

Date



DEC 16 2003

JC109
PATENT
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,506	03/28/2001	Dennis Sunga Fernandez	FERN-P001D	8534
22877	7590	12/08/2003		
			EXAMINER	
			VO, TUNG T	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 12/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

REC'D DEC 11 2003

DOCKETED
DATE: _____

DOCKETED
DATE: 12/11/03

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UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E
DEC 16 2003

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

E9/823,506

The amendment document filed on 11-12-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENT(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
 A. Amended paragraph(s) do not include markings.
 B. New paragraph(s) should not be underlined.
 C. Other complete paragraphs
2. Abstract:
 A. Not presented on a separate sheet. 37 CFR 1.72.
 B. Other _____
3. Amendments to the drawings: _____
4. Amendments to the claims:
 A. A complete listing of all of the claims is not present.
 B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 D. The claims of this amendment paper have not been presented in ascending numerical order.
 E. Other: incorrect format (numbered claims should be consecutive numbers) 1-21 and 23 -

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognitice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

[Signature]
Legal Instruments Examiner (LIE)